

**AN AMENDMENT TO A PART OF THE ZONING ORDINANCE
OF THE CITY OF URBANA, ILLINOIS
AND THE ZONING MAP OF THE CITY OF URBANA**

(Ten lots on Springfield, Coler and Western)

WHEREAS, the City of Urbana, Illinois is a home rule municipal corporation pursuant to Article VII, Section 6(a) of the Illinois Constitution and has all governmental, corporate and proprietary powers necessary to conduct municipal government, perform municipal functions and render municipal services, including the authority to adopt and enforce land use plans, zoning and subdivision regulations and other land use controls to protect and promote the public health, safety and general welfare of its citizens; and

WHEREAS, the City Council of the City of Urbana, Illinois adopted Ordinance #7980-68 on December 17, 1979 which adopted the 1979 Comprehensive Amendment to the 1950 Zoning Ordinance of the City of Urbana which included changes to the Official Zoning Map and Zoning Ordinance of the City of Urbana; and

WHEREAS, the Urbana City Council adopted Ordinance #8283-17 on September 7, 1982 which adopted the 1982 Comprehensive Plan that established immediate and long-range goals, objectives and policies to guide the future preservation and development of the city; and

WHEREAS, following nearly two years of study and numerous public meetings, the Urbana City Council adopted Ordinance #8990-132 on June 4, 1990 which adopted the Downtown to Campus Plan and amended the City's 1982 Comprehensive Plan; and

WHEREAS, the Downtown to Campus Plan adopted new goals and objectives for the Downtown to Campus area as well as a new Proposed Land Use Map to replace the Official Comprehensive Plan Map that was included in the 1982 Comprehensive Plan; and

WHEREAS, the Downtown to Campus Plan recommended a variety of actions to achieve the goals and objectives established in said Plan including a recommendation to change the zoning of many properties in the neighborhood to conform with the Proposed Land Use Map in said Plan; and

WHEREAS, the Urbana City Council approved Resolution #9091-R19 on December 17, 1990 which directed the Zoning Administrator to submit rezoning petitions for many properties located in the Downtown to Campus area; and

WHEREAS, the Zoning Administrator submitted a petition to amend the Official Zoning Map by rezoning the properties described in Section 1 herein from R-5 (Medium High Density Multiple Family Residential) to B-1A (Neighborhood Business - Arterial) as recommended in the Downtown to Campus Plan; and

WHEREAS, said petition was presented to the Urbana Plan Commission as Plan Case #1405-M-91; and

WHEREAS, after due publication in accordance with Section XI-7 of the Urbana Zoning Ordinance and with Chapter 24, Section 11-13-14 of the Illinois Revised Statutes, the Urbana Plan Commission held a public hearing on the proposed zoning changes on January 10 and 24, February 7 and 21, and March 7, 1991; and

WHEREAS, the Urbana Plan Commission voted on March 7, 1991 to forward Plan Case #1405-M-91 to the Urbana City Council with a recommendation for approval of a change from R-5 zoning to B-1A for all of the properties described in Section 1 herein; and

WHEREAS, the Urbana City Council finds that there is a need to allow new development opportunities along Springfield Avenue to improve the community's tax base; that there is a need for new development opportunities to provide locations for the expansion of Downtown Urbana; that all of the properties in this case except the lots at 804, 806 and 808 W. Springfield are suitable and appropriate for the type of commercial, office and residential development that is desired; that the lots at 804, 806 and 808 W. Springfield should remain zoned R-5 at the present time; and that the utilities and streets in this area are generally adequate to accommodate the demands generated by the types of uses permitted in the proposed B-1A zoning district; and

WHEREAS, after due and proper consideration, the Urbana City Council has determined that the zoning changes described in Section 1 herein conform to the goals, objectives and policies of the City's 1982 Comprehensive Plan as amended by the Downtown to Campus Plan; and

WHEREAS, after due and proper consideration, the Urbana City Council has deemed it to be in the best interests of the City of Urbana to agree with the recommendation of the Urbana Plan Commission and to amend the Official Zoning Map as described in Section 1 herein for the reasons contained herein as well as for the reasons spread upon the records of both this Plan Case and the Downtown to Campus Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS that the Official Zoning Map of the City of Urbana, Illinois is hereby amended as follows:

Section 1.

The following properties are hereby rezoned from R-5 (Medium High Density Multiple Family Residential) to B-1A (Neighborhood Business - Arterial):

1. Tax Parcel #92-21-17-104-001, Lot 1 of Block 9 of Sim's Add., commonly known as 713 W. Springfield
2. Tax Parcel #92-21-17-104-002, Lot 2 of Block 9 of Sim's Add., commonly known as 711 W. Springfield
3. Tax Parcel #92-21-17-104-003, the west 48.0' of Lot 3 of Block 9 of Sim's Add., commonly known as 709 W. Springfield
4. Tax Parcel #92-21-17-104-004, Lot 4 plus the east 9.71' of Lot 3 of Block 9 of Sim's Add., commonly known as 707 W. Springfield
5. Tax Parcel #92-21-17-104-005, the west 56.0' of Lot 5 of Block 9 of Sim's Add., commonly known as 705 W. Springfield
6. Tax Parcel #92-21-17-104-006, the east 1.71' of the north half of Lot 5 plus the north half of Lots 6 and 7 of Block 9 of Sim's Add., commonly known as 103 N. Coler
7. Tax Parcel #92-21-17-104-007, the east 1.71' of the south half of Lot 5 plus the south half of Lots 6 and 7 of Block 9 of Sim's Add., commonly known as 101 N. Coler
8. Tax Parcel #92-21-17-104-008, the west half of the north 40.0' of the vacated right-of-way located south of and adjacent to Block 9 of Sim's Add., commonly known as 712 W. Western
9. Tax Parcel #92-21-17-104-009, the west half of the east half of the north 40.0' of the vacated right-of-way located south of and adjacent to Block 9 of Sim's Add., commonly known as 704 W. Western
10. Tax Parcel #92-21-17-104-010, the east half of the east half of the north 40.0' of the vacated right-of-way located south of and adjacent to Block 9 of Sim's add., commonly known as 702 W. Western

The said properties described above being represented on the map attached hereto as Exhibit PC1405-A and incorporated herein by reference.

Section 2.

If any provision of this Ordinance, or the application of such provision to any parcel(s), is held invalid for any reason

whatsoever, the remainder of this Ordinance, or the application of the provision to other parcel(s) shall not be affected thereby.

Section 3.

This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Section 1-2-4 of the Illinois Municipal Code.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called of a majority of the members of the City Council of the City of Urbana, Illinois, at a regular meeting of said Council on the 15th day of April, 1991.

PASSED by the City Council on this 15th day of April, 1991.

Ruth S. Brookens
Ruth S. Brookens, City Clerk
by Sharon K. Menges, Deputy Clerk

APPROVED by the Mayor this 25th day of April, 1991.

Jeffrey T. Markland
Jeffrey T. Markland, Mayor

Certificate of Publication

I, Ruth S. Brookens, City Clerk of the City of Urbana, Illinois, do herewith certify that I caused the above Ordinance to be duly published in the News-Gazette on the 10th day of May, 1991, and a Certificate of Publication is attached hereto.

Ruth S. Brookens
Ruth S. Brookens, City Clerk

(pc1405.ord)/bg

